

Exhibit “D”

Curtis Cutler
Department of Sanitation Worker
Location: S102
Reference #: 1456276

November 21, 2021

RE: DSNY Religious Accommodation Appeal

To Whom It May Concern:

I write to appeal the denial of my religious accommodation by the Department of Sanitation. I am entitled to a reasonable accommodation pursuant to Title VII of the Civil Rights Act of 1964, New York Executive Law Section 291, and the New York City Human Rights Law. I am an Evangelical Christian and I hold the biblical title of Deacon at the Tottenville Evangelical Free Church. As a clergy member, I am astounded that the Department of Sanitation has rejected my religious beliefs and denied my request for an accommodation. My religious convictions are based on my religious experience and understanding of biblical Christianity as a "Born Again" Evangelical Deacon. To deny my deeply held religious convictions is religious discrimination.

I have included a letter from Pastor George Ippolito of my Church, the Tottenville Evangelical Free Church. He attests to my sincerity and longstanding Christian convictions which prevent me from vaccinating. He also outlines the Scriptures and explains how my beliefs as an Evangelical Christian conflict with receiving the Covid vaccine.

My Religious Journey

This is a personal testimony of my religious journey. To start, I come from a broken home with a divorce that separated my parents when I was 5 years old. After the divorce, my brother and I were sent to live with my grandparents, Dot & Arnold Kroeger, until my mom could get back on her feet.

My grandparents were very faithful people. At the time, my grandfather, Arnold Kroeger, was a minister at Tottenville Evangelical Free Church. Living under my grandparents roof we attended Sunday School and church every Sunday. As you can imagine, growing up in a turbulent situation, my grandparents and the church, were a great anchor of stability. As a young boy, I learned about Jesus, the bible, morality, righteous characteristics and personal integrity. The church was a huge staple in our lives. I held all these teachings in my mind as I grew. I say, "I held them in my mind" because there is a big difference between a purely intellectual faith and a faith of the heart. As I grew from the outside, I appeared to be a "good man," but I actually lived a very "worldly life". Living this way, there was undoubtedly a war going on in my mind about the life I was living and what I was taught by my grandparents. I remember my grandfather and the righteous man of integrity he was.

I wanted to be that man, but my heart could not obtain it.

After some time passed, I met a girl. We fell in love and had a beautiful baby boy out of wedlock. It wasn't long before my relationship fell apart. After all, it wasn't based on the principles I was taught. Now, left to raise a 6-month-old on my own, things became more serious. I was a father, but a selfish man at best, yet the gravity of responsibility hit me hard. How could I raise a young man to be a man of integrity if I didn't possess it myself?! I could look nowhere else for help except to God. These thoughts slowly permeated my mind as life continued on. Not too long after that I met a beautiful woman named Liz. She brought love and family stability into our lives. We moved in together and started attending Tottenville Evangelical Free Church (TEFC) because I thought it to be the "traditional" thing to do. Little did I know, God had much more in store for me.

One particular Sunday morning a guest preacher spoke about salvation and how a man whose sins are washed away by Christ should not dwell in sin. He spoke on how sexually immoral people will not enter the kingdom of God (I Corinthians 6:9) and there I was, a man who might have looked clean on the "outside," yet living an immoral life. I had moved in with a woman who was not my wife and had a child out of wedlock with another, among many other things. That scripture hit me hard! My heart condemned me because I knew God was describing who I was. I felt the heavy weight of my damnation and often sat on the church steps in great sorrow. In this condition, I was drawn to call out to God. I pleaded with Him, asked for salvation and read the bible as much as I could. What I didn't realize then, but I do now, is that it was God who brought the deep sorrow and feelings of condemnation. I was, by His grace, made to fear His judgement. The verse, "the fear of the Lord is the beginning of wisdom" (Proverbs 9:10) rang out in my mind. I felt this heavy burden for about a week until God revealed to me that these feelings of condemnation were Him leading me to repentance. To turn from my sinful lifestyle and start living for Christ! My fears were lifted! I would not have worried about my sin if God was not working in my heart. When I learned Jesus took the penalty of my sin away I was exonerated for the wrath of judgment. This is what amazing grace was really about; it's not a funeral song, but a song of being awakened to your salvation in Jesus Christ!

Now, with this new profound faith, not just an intellectual one, but one with a changed heart, I was determined to change my life forever. I told my girlfriend how I felt about Jesus and how we can't live in sin anymore. We "intimately" separated for a time of about nine months until we were married. After all, I believed she was God's property and I was not going to "steal" from God. During the time of our "separation of intimacy" she came to faith as well! This led us both to get baptized while still attending Tottenville Evangelical Free church. We were both baptized by my grandfather, Arnold Kroeger at South Baptist Church in Tottenville. (See Arnold Kroeger's sermons on sermon audio tinysa.com/sermon/12713211541) After marriage, God worked in my life in a profound way. My biblical knowledge was growing very fast. I became very involved in our church and both me and my wife became members. I was very active and started teaching to both the children and the adults. The pastors at TEFC helped me grow as well. As my biblical knowledge grew, my life began to change and this

affected me in many ways. My habits and behaviors were edified by the word of God. I learned that my body is not my own and to take care of it the best I could and I still do till this day. It is a serious matter what I put into this temple. This comes into play with vaccines as well. I've come to learn of the origin of some of these vaccines/medications which has completely changed my mind about taking them. I am completely opposed to anything even tested on aborted babies. My faith has convicted me to be an abolitionist at heart. I firmly believe human abortion should be abolished! I also believe it is a betrayal of my faith in God to receive any vaccines. My faith tells me to trust in the immune system my creator has given me.

I learned about church history along with the strength and convictions of my forefathers. They are an inspiration to me. I am a strong protestant who believes in salvation by faith alone, through Christ alone, by grace alone according to scripture alone for the glory of God alone. I have great love for those pilgrims who fled religious persecution to seek out the freedom they required. It is that same freedom I stand by now. I serve an everlasting King who guides my every decision. I am called to be His ambassador and shall be in life or death. This same faith that guides the decisions I make about my body has been applied in many ways. Now I run my family as a man much like my grandfather. I have become, by God's grace, a man like him. I am a Deacon in the same church he once preached in for over 40 years. I watch over the building, teach lessons, help widows with challenging tasks, collect and count the offering during/after every service and serve food every Sunday morning. This position is found in I Timothy 3, 5 and is also found in Titus chapter 1.

I love my job working for the city but my first and ultimate service is to Christ my King.

Theology of the Body

According to biblical doctrine, our bodies are not our own but we are managers and stewards of God's property. "Or do you not know that your body is a temple of the Holy Spirit within you, whom you have from God, and that you are not your own? For you have been bought for a price: therefore, glorify God in your body." 1 Corinthians 6:19-20. I am convicted based on my strong belief that my God gave me an immune system alongside the healing/upholding power of Christ. *"He is before all things, and in Him all things hold together."* Colossians 1:17. This is what my body requires when it comes to Covid. I make medical decisions based upon my faith and the command from God. God created my immune system and it does not need any alterations. God's infection fighting design is divinely, infinity wiser than man's vaccine design. Whatever God creates is perfect. *"As for God, his way is perfect. The Lord's word is flawless; he shields all who take refuge in him."* Psalm 18:30. Taking the Covid vaccine would be admitting that God's creation is less than perfect and needs improvement by man. As a "born again" Evangelical Christian, this is something I will not do. Vaccination alters our body's most fundamental mechanics to such an extent that it leaves us with only one assumption: that God neglected to install in His perfect creation a means to deal with the Covid virus. I am called to render unto Caesar what is Caesar's i.e. taxes. Money has the governments inscription on it but my body does not. My body is what I render unto God because in my salvation it bears His

inscriptions. Mathew 22:15-22.

God is omnipotent and omniscient. He did not mistakenly leave out the fundamental ability for our immune system to overcome simple disease. I believe that much of what my body needs is a healthy lifestyle to thrive and flourish. I do not smoke, I eat healthy, and I work out 4-5 days a week. God provides everything I need to nourish my body and soul. My faith has convicted me in many areas of medical practice not just vaccination. These convictions include but are not limited to: medical research based on aborted baby tissue, DNA manipulation, opioid medications, psychotropic drugs, and coerced human testing.

Abortion

All of the available Covid vaccines use abortion derived fetal cell lines in either the testing or the production of the vaccines. Johnson & Johnson uses abortion derived fetal cells to produce and manufacture the vaccine. Pfizer and Moderna use abortion derived fetal cell lines to test their vaccines. For an Evangelical Christian like myself, there is no distinction. Either way I would be participating in the abortion industry by receiving any of these vaccines. According to the Bible, a baby is a baby both inside and outside of the womb. Luke 1:41. Abortion is the murder of this baby, a human which was made perfectly in God's image. Psalm 139:13-16. The Bible explicitly prohibits murder. Exodus 20:13. My pastor also explains in his letter how Christians have strong convictions about abortion which comes directly from the Bible and how these beliefs conflict with receiving the Covid vaccine.

Fear

I am obligated to not fear the things of this world, as well as men, or whatever may pose a threat to my physical existence. This includes the Covid virus and variants. But rather I walk in faith knowing I have placed a reverent fear in my obligations to my God before all things. "And do not be afraid of those who kill the body but are unable to kill the soul; but rather fear Him who is able to destroy both soul and body in hell." Matthew 10:28.

My utmost concern is not my physical body but my soul which lives on forever in Christ's Kingdom of Heaven. I cannot sin against God in order to save my body and risk my soul. Christians who do not have faith and trust in God stand condemned before Him. Besides, the fact is that there are other ways to protect my body. Receiving the Covid vaccine would be acting in fear. This would grieve God! To do so will grieve the Holy Spirit. We are warned against this in the book of Ephesians. And do not grieve the Holy Spirit of God, with whom you were sealed for the day of redemption. Eph 4:30. I am a God-fearing Christian. I have faith that He will protect me as His faithful follower. I will not sin against Him and risk destruction.

Conscience

"The faith which you have, have as your own conviction before God. Happy is the one who does not condemn himself in what he approves. But the one who doubts is condemned if he eats,

because his eating is not from faith; and whatever is not from faith is sin.” Romans 14:22-23. The broader context of this verse is about not violating one’s conscience in adiaphorous matters such as eating, but is expanded to essential matters in that to violate one’s conscience is sin. Simply put, this The Christian is to avoid sin at all possible costs. When it comes to Christian conduct, all things are subject to a submissive and obedient relationship with God. If I act in a way which I know in my heart to be prohibited by God then my actions are condemned as sinful. My Pastor also explains in his letter how, from a biblical perspective for Christians, acting against one’s conscience is a serious matter and a sin against God.

Receiving the Covid vaccine would be a violation of my conscience and a sin against God. I am certain that taking vaccines which are tested or developed using abortion derived fetal cell lines, alter my God-given immune system, and prioritize a fear in Earthly threats over the fear of disobeying God, would be sinful.

Conclusion

The denial of my religious accommodation by the Department of Sanitation was wrong. The law protects my religious beliefs which are heartfelt and earnest. As a “born again” Christian believer, and a Deacon of the Evangelical Church, it is both obvious and indisputable that my beliefs qualify for protection pursuant to Title VII and the New York Human Rights Law. Please grant my appeal and right this wrong.

Confidentially and Sincerely,

Curtis S. Cutler, Jr.



Tottenville Evangelical Free Church

266 Wood Ave. Staten Island, NY 10307

November 19, 2021

Re: Curtis Cutler Religious Exemption Appeal

To: Scheinman Arbitration and Mediation Services (SAMS),

I am writing this letter on behalf of Curtis Cutler who has been a faithful attendee at Tottenville Evangelical Free Church even before I started serving here on full-time staff back in November of 2012. I can personally attest to Curtis' sincerity of heart and character having seen him faithfully serve our local church in one way or another for years. He has served in a teaching capacity - teaching various age groups, as a deacon, and he has spearheaded different outreaches and projects - just to name a few ways he has served. He is someone I have known for years and I wholeheartedly attest that his Christian convictions are not recent but longstanding. I would not be writing this letter for anyone. There have been people that have requested letters from me, but I have not written those letters because I didn't think that the convictions of those individuals were of a biblical nature or that they were truly committed to the Christian faith, etc. I say that to accent the notion that Curtis is on the complete other end of the spectrum - this is an individual who is truly expressing and accurately representing a Christian position. In fact, when considering what the Scriptures teach about the serious nature of conscience matters, I can honestly say that I do not know if there is another member of our church who has deeper roots of conviction with regards to this subject. As it relates to Curtis, he loves the Lord Jesus Christ who died for his sins and rose from the grave, loves the Scriptures, and has been a great help to many people, both inside and outside of the church, regularly demonstrating godly characteristics like kindness and helpfulness.

Let me say on the outset, my desire in this letter is to outline the Christian conviction with regards to conscience matters in general, which the Scripture takes very seriously, and how that applies to the Covid vaccine. This is separate from philosophical and political matters; this is, from a biblical standpoint, a serious matter between man and God.

The Bible clearly teaches that there are some issues that are sin for some and not for others based upon the reaction of a person's conscience. In Romans 14, the apostle Paul provided the church with direction regarding violating one's conscience in the matter of eating certain foods. In the 1st century church, there were Christians who were convinced that they could eat any food (Rom. 14:2a), while others believed they could only eat vegetables (vs.2b). In a similar way, Paul wrote of those Christians who observed certain days, appropriating to those days some kind of religious significance, while there were others that didn't (vs. 5-6). It's not that these issues did not have biblical teaching that would help a person's conscience be tuned rightly; they did, and they do; however, the issue that Paul was addressing was the conscience. And the church needed to know that to act against one's conscience, whether it pertained to eating a certain thing or observing a certain day, was a serious matter, it was sin against God (vs. 22-23).

Therefore, from a biblical perspective, matters of conscience are to be taken very seriously.

As to reasons for this conviction, here are some of the points/ issues that undergird that conviction. First, Christians know that their body does not belong to them, but to God. Having been bought with the precious blood of Jesus Christ (1 Cor. 6:19-20), Christians like Curtis Cutler have a conviction that taking the Covid vaccine is not in keeping with the proper stewardship of his body. Curtis knows that he has a responsibility before God to use his body and physical health to work and provide for his family (1 Tim. 5:8). Given the fact

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that the vaccine does not stop a person from transmitting the virus, and that there has not been long-term testing to evaluate the risks associated with the vaccine, as well as the fact that there have been deaths and adverse effects from the vaccine (even if that reported percentage is small), it is still a reasonable conclusion for a Christian to have a conviction that the right choice for him or her is to avoid it. A Christian must steward his or her own body in keeping with the convictions they have, and not sin against those convictions.

Second, Christians have strong convictions about abortion, believing that life begins at conception and that to have an abortion is to kill a human being made in God's image, and it is completely understandable for a Christian to not want to participate in a vaccine that "is made using fetal retinal cells" (<https://www.chop.edu/centers-programs/vaccineeducation-center/vaccine-ingredients/fetal-tissues>) - referring to the Johnson & Johnson vaccine, and to want to avoid participating in using mRNA vaccine technology, used in the Pfizer and Moderna vaccines, which was developed (or "proved") using fetal cells "to demonstrate how a cell could take up mRNA and produce the SARS-CoV-2 spike protein" (Los Angeles County, "Covid-19 Vaccine and Fetal Cell Lines"). Furthermore, as I know Curtis is aware of, Vanessa Gelman, an employee of Pfizer, also stated in an e-mail: "One or more cell lines with an origin that can be traced back to human fetal tissue has been used in laboratory tests associated with the vaccine program" and "we want to avoid having the information on the fetal cell lines floating out there" (excerpts from "Pfizer Whistleblower Leaks Execs Emails: 'We Want to Avoid Having Info on Fetal Cells Out There'" see Pfizer Whistleblower Leaks Execs Emails: 'We Want to Avoid Having Info on Fetal Cells Out There'). So, seeing that the Bible identifies a baby in the womb as that - a baby (see Luke 1:41 where John the Baptist is identified a baby in the womb - "And it happened, when Elizabeth heard the greeting of Mary, that the baby leaped in her womb; and Elizabeth was filled with the Holy Spirit."). That same word for "baby" is used in the following chapter to describe Jesus outside of the womb. The idea being - according to the Bible, a baby is identified as a baby both inside and outside of the womb. And it is completely understandable that a Christian would not to participate in a vaccine that was connected to, or developed from, aborted fetal tissue.

Third, a Christian may reject the idea that there isn't an alternative to avoiding infection and pursuing prophylactic protection from the virus. Not only can people who have received the Covid-19 vaccine become infected, test positive with the virus, and communicate that virus to others, a real-time meta analysis of 63 studies concerning the use of the controversial pharmaceutical drug, Ivermectin, yielded an astounding 86% prophylactic success rate (<https://ivmeta.com>). Thus, from a biblical perspective, the idea that the only way to 'love one's neighbor' as it relates to avoiding Covid-19 infection is through vaccination is fallacious.

With all that said, while all arguments will not hold equal weight with all individuals, yet alone all Christians, just as in the New Testament church where Christians were told that it was sin to violate their conscience even if, say, they had freedom to participate in a given thing (e.g. celebrating a particular day or eating, or abstaining from, a particular food or food group), it is keeping with biblical precepts and principles to request an exemption from a vaccination that would violate one's conscience, seeing as the violation of one's conscience in, what has often been referred to as 'disputable matters,' is sin and thus a serious matter in the sight of God.

If I can be of any further assistance, or provide any further clarification, please do not hesitate to let me know.

In Him,

George Ippolito

Pastor George Ippolito
